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THE UNITED STATES OF AMERICA

"TWO AND TWO MILLION THREE HUNDRED EIGHTY EIGHT CENTS"

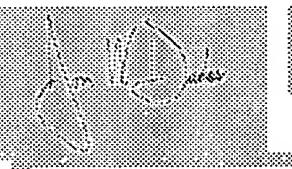
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December 16, 2004

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APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A
FILING DATE.

APPLICATION NUMBER: 60/523,103
FILING DATE: *November 19, 2003*
RELATED PCT APPLICATION NUMBER: PCT/US04/39032

Certified by



Jon W Dudas

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PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No.

U.S. PTO
31281
60/523103
111903**INVENTOR(S)**

Given Name (first and middle [if any])	Family Name or Surname	Residence (City and either State or Foreign Country)
MICHAEL H. CHRISTOPHER J.	WESTON HESSION	CHAPEL HILL, NC RICHMOND, VA

 Additional inventors are being named on the separately numbered sheets attached hereto**TITLE OF THE INVENTION (500 characters max)****A PACKAGE FOR HOLDING AND PROTECTING VIALS**

Direct all correspondence to:

CORRESPONDENCE ADDRESS Customer Number

020457

OR

<input type="checkbox"/> Firm or Individual Name	Antonelli, Terry, Stout, and Kraus, LLP				
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Country	USA	Telephone	703 312-6600	Fax	703 312-6666

ENCLOSED APPLICATION PARTS (check all that apply)

- Specification Number of Pages 7 CD(s), Number
 Drawing(s) Number of Sheets 1 Other (specify) Fee Transmittal Form
 Application Data Sheet. See 37 CFR 1.76

METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT

- Applicant claims small entity status. See 37 CFR 1.27.
 A check or money order is enclosed to cover the filing fees
 The Commissioner is hereby authorized to charge
 filing fees or credit any overpayment to Deposit Account Number: 01-2135
 Payment by credit card. Form PTO-2038 is attached.

FILING FEE
Amount\$

160.00

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

- No
 Yes, the name of the U.S. Government agency and the Government contract number are:

[Page 1 of 2] Date 11/19/2003

Respectfully submitted,

SIGNATURE

REGISTRATION NO. 29,621
(if appropriate)
Docket Number: 1299-4329BX00TYPED or PRINTED NAME Card L. BrundidgeTELEPHONE 703.312.6600**USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT**

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Provisional Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 160

Complete if Known	
Application Number	Not yet assigned
Filing Date	November 19, 2003
First Named Inventor	WESTON, MICHAEL
Examiner Name	
Art Unit	
Attorney Docket No.	1299.43298L00

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account	01-2135
Number	
Deposit Account Name	Antonelli, Temy, Stout & Kraus, LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) during the pendency of this application.

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee	Fee (\$)	Small Entity Fee	Fee (\$)	Fee Description
Code 1001	770	Code 2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		160		

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20** =	x	=	Fee from below	Fee Paid
Indep. Claims	-3** =	x	=		
Multiple Dependent			=		
Large Entity Fee	Fee (\$)	Fee (\$)		Fee Description	
Code 1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	280	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					

*or number previously paid, if greater. For Reissues, see above.

FEE CALCULATION (continued)	
3. ADDITIONAL FEES	
Large Entity	Small Entity
Fee Code (\$)	Fee Code (\$)
1051	130
2051	65
1052	50
2052	25
1053	130
1812	2,520
1804	920*
1805	1,840*
1251	110
2251	55
1252	420
2252	210
1253	950
2253	475
1254	1,480
2254	740
1255	2,010
2255	1,005
1401	330
2401	165
1402	330
2402	165
1403	290
2403	145
1451	1,510
1452	110
2452	55
1453	1,330
2453	665
1501	1,330
2501	665
1502	480
2502	240
1503	640
2503	320
1406	130
1460	130
1807	50
1806	180
1806	180
8021	40
8021	40
1809	770
2809	385
1810	770
2810	385
1801	770
2801	385
1802	900
1802	900
Other fee (specify) _____	
*Reduced by Basic Filing Fee Paid	
SUBTOTAL (3) (\$)	

SUBMITTED BY

Complete (if applicable)					
Name (Print/Type)	Carl L. Brundidge	Registration No. (Attorney/Agent)	29,621	Telephone	703-312-6600
Signature				Date	11/19/2003

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A PACKAGE FOR HOLDING AND PROTECTING VIALS

BACKGROUND OF THE INVENTION

The present invention relates generally to packaging for holding and
5 protecting vials. More particularly the present invention relates to packaging
for holding and protecting vials in a horizontal manner to permit the labeling
on the vials to be easily viewed to reduce product errors.

Conventional vial packaging incorporates elements of foam or plastic to
protect the product in distribution. Such conventional foam or plastic
10 packaging normally holds the vials in a vertical fashion, enveloping the entire
product but the cap. Since labeling including product and patient information
is affixed to the sides of the vials, Conventional vial packaging does not allow
for such labeling to be easily viewed. Thus, conventional vial packaging can
induce, for example, medication errors including taking and administering the
15 wrong medication. As is well known medication errors is a significant problem
for healthcare institutions (hospitals, etc.) and healthcare providers.

Therefore, packaging is needed that can help to reduces these types of
errors.

SUMMARY OF THE INVENTION

20 The present invention provides packaging for holding and protecting
vials in a horizontal manner to permit the labeling on the vials to be easily
viewed to reduce product errors.

Particularly the present invention provides packaging for holding and
protecting vials in a horizontal manner including an inner paperboard card
25 which holds the vials in a horizontal manner and an outer package to which
the inner paperboard card is releasable attached for enclosing the inner

paperboard card including the vial in a protective cover. The inner paperboard card holds the vials in a horizontal manner by affixing the cap of each vial to a simple click-in paperboard insert formed in a spine of the inner paperboard card. The inner paperboard card by holding the vials in a

- 5 horizontal manner permits the labeling on the vials to be easily viewed to reduce product errors.

The inner paperboard card and the outer package are each formed from a one piece paperboard which has been cut to have a particular configuration and scored to have fold lines at various preset locations on the 10 paperboard. Each of the inner paperboard card and the outer package is folded along the fold lines according to a preset sequence so as to form the respective element.

BRIEF DESCRIPTION OF THE DRAWINGS

The foregoing and a better understanding of the present invention will 15 become apparent from the following detailed description of example embodiments and the claims when read in connection with the accompanying drawings, all forming a part of the disclosure of this invention. While the foregoing and following written and illustrated disclosure focuses on disclosing example embodiments of the invention, it should be clearly understood that 20 the same is by way of illustration and example only and the invention is not limited thereto, wherein in the following brief description of the drawings:

Figs. 1A and 1B are diagrams illustrating the inner paperboard card and the outer package and how they cooperate with one another according to the present invention; and

Figs. 2A and 2B are diagrams showing the configuration of the one piece paperboards from which the inner paperboard card and the outer package are formed.

DETAILED DESCRIPTION OF THE INVENTION

5 Figs. 1A and 1B are diagrams illustrating an inner paperboard card 10 and an outer package 20 and how they cooperate with one another according to the present invention.

The present invention as illustrated in Figs. 1A and 1B provides packaging for holding and protecting vials in a horizontal manner including the
10 inner paperboard card 10 which holds the vials in a horizontal manner and the outer package 20 to which the inner paperboard card 10 is releasable attached for enclosing the inner paperboard card 10 including the vials in a protective cover.

The inner paperboard card 10 holds the vials in a horizontal manner by
15 affixing the cap of each vial to a simple click-in paperboard insert 1010 formed in a spine 1020 of the inner paperboard card 10. The inner paperboard card 10 by holding the vials in a horizontal manner permits the labeling on the vials to be easily viewed to reduce product errors. The outer package 20 is formed, for example, as an open end box in which the inner paperboard card
20 10 is inserted. The inner paperboard card 10 is releasable attached to the outer package 20. The outer package 20 provides protection to the vials during shipping and handling.

The inner paperboard card 10 and the outer package 20 are each formed from a one piece paperboard 30 and 40 respectively. Each one piece
25 paperboard 30, 40 has been cut to have a particular configuration and scored

to have fold lines 3010, 4010 at various preset locations on the one piece paperboard. Each of the inner paperboard card 10 and the outer package 20 is folded along the fold lines 3010, 4010 according to a preset sequence so as to form the respective element.

5 The package as described according to the present invention provides ease-of-use benefits to the consumer and caregiver, while also offering product protection, cost-effectiveness and labeling to the manufacturer. The present invention, a secondary package, allows for vial-packaged products (including, but not limited to, pharmaceuticals) to be held in place in a highly
10 durable, user-friendly all-paperboard package. Unlike most vial packaging systems, with the invention, vials are held in place in a horizontal manner by affixing the cap of the vial to a simple click-in paperboard insert. With the horizontal positioning, the labeling of each vial can be easily viewed, including barcodes and NDC numbers. The ability to easily check labeling before use
15 (including, but not limited to, drug administration) helps to reduce product use errors. Medication errors, such as taking the administering the wrong medication, are a significant problem for healthcare institutions (hospitals, etc.) and healthcare providers.

 The package of the present invention also provides patient medication
20 compliance benefits, as the outer package (a folding carton) is affixed to the inner paperboard card that holds the vials. Patient and healthcare provider education, such as dosing reminders and potential side effect information, are easily visible to the patient or user throughout the drug regimen.

 As per the present invention drugs that are manufactured in a vial
25 application can be secured to an inner pullout card for convenient access and

product identification by the patient and user. Patient and healthcare information or history can be recorded directly on the package concerning the individual's dose and delivery. This information remains visible throughout the regimen. The two flaps located inside the inner drawer add support to the spine and protection to the vials.

5 Current vial packaging incorporates elements of foam or plastic to protect the product in distribution. Foam or plastic packaging normally holds vial in a vertical fashion, enveloping all of the product but the cap. The present invention takes a different approach, holding the vials in place in a

10 horizontal manner by securing the cap to the inner card. The present invention has environmental advantages over existing packaging types because it is all paperboard and fully recyclable. Unlike current packaging for vials, information can be printed in advance or written next to each and every vial, so that patients and users are prompted with key dosing information (i.e.

15 "Saturday dose" or "Take with food").

While the invention has been described in terms of its preferred embodiments, it should be understood that numerous modifications may be made thereto without departing from the spirit and scope of the present invention. It is intended that all such modifications fall within the scope of the

20 appended claims.

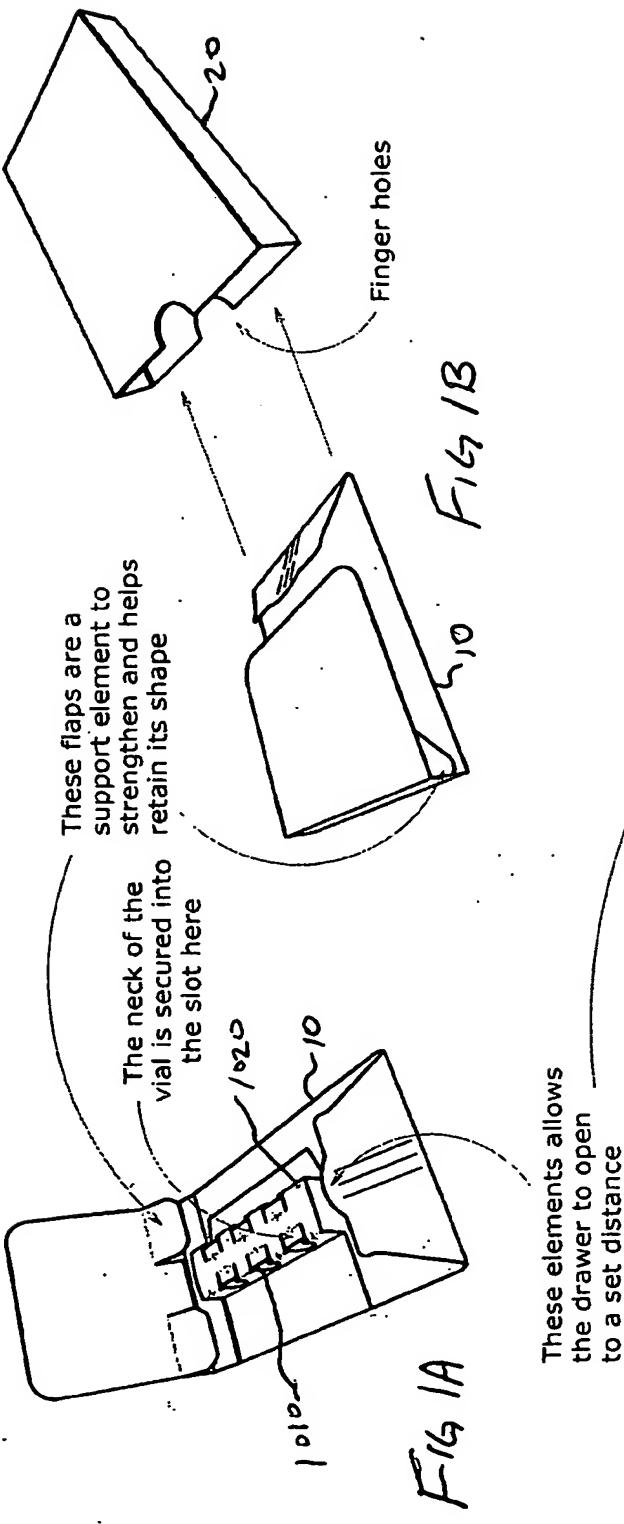
WHAT IS CLAIMED IS:

1. A package for holding and protecting vials in a horizontal manner comprising:
 - an inner paperboard card which holds the vials in a horizontal manner;
 - 5 and
 - an outer package to which the inner paperboard card is releasably attached for enclosing the inner paperboard card including the vial in a protective cover,
 - wherein said inner paperboard card holds the vials in a horizontal
 - 10 manner by affixing the cap of each vial to a simple click-in paperboard insert formed in a spine of the inner paperboard card.
2. A package according to claim 1, wherein said inner paperboard card and said outer package are each formed from a one piece paperboard
15 which has been cut to have a particular configuration and scored to have fold lines at various preset locations on the one piece paperboard.
3. A package according to claim 1, wherein each of said inner paperboard card and said outer package is folded along the fold lines
20 according to a preset sequence so as to form the respective element.

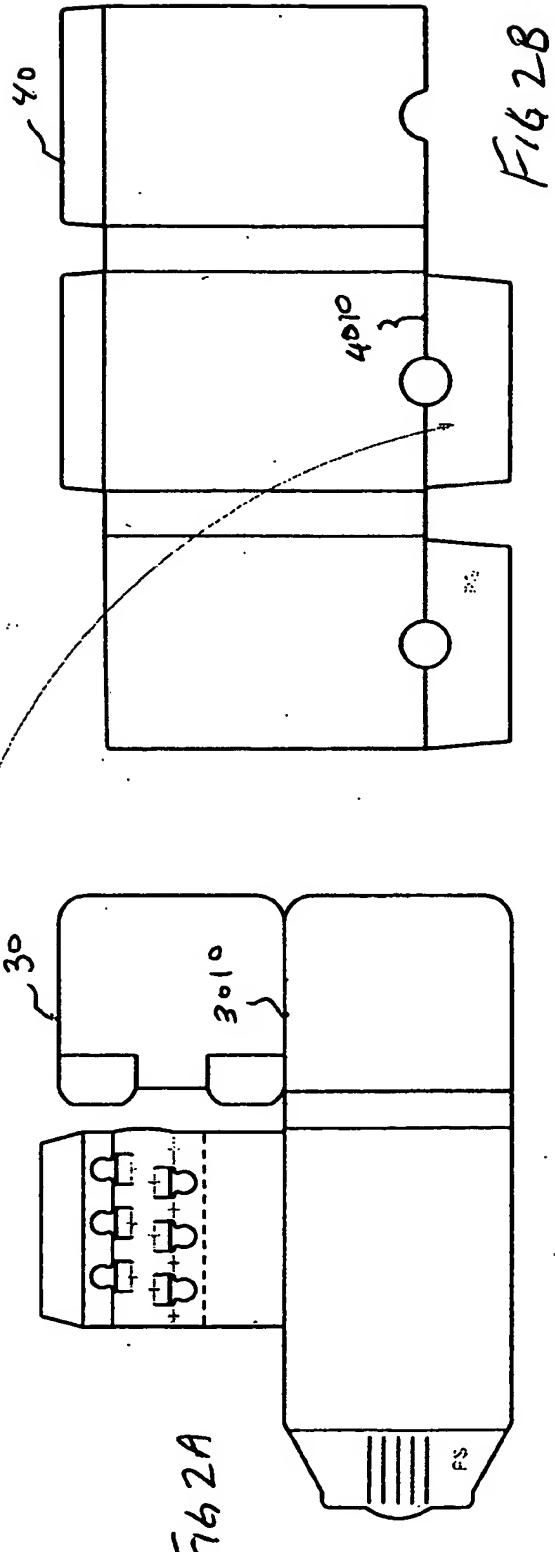
ABSTRACT

A package for holding and protecting vials in a horizontal manner including an inner paperboard card which holds the vials in a horizontal
5 manner and an outer package to which the inner paperboard card is releasable attached for enclosing the inner paperboard card including the vial in a protective cover. The inner paperboard card holds the by affixing the cap of each vial to a simple click-in paperboard insert formed in a spine of the inner paperboard card. The inner paperboard card and the outer package are
10 each formed from a one piece paperboard which has been cut to have a particular configuration and scored to have fold lines at various preset locations on the paperboard. Each of the inner paperboard card and the outer package is folded along the fold lines according to a preset sequence so as to form the respective element.

15



These elements allows the drawer to open to a set distance



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